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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,959	02/12/2004	David James Clarke	ID-506 (80219)	7100

27975 7590 04/27/2007
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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/777,959

Applicant(s)

CLARKE ET AL.

Examiner

Etienne P. LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-13, 15-18, 20-23 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-18, 20-23 and 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Status

Claims 1-5, 7-13, 15-18, 20-23 and 25-28 are pending. Claims 6, 14, 19, 24 and 29 have been canceled. Claims 1-5, 7-13, 15-18, 20-23 and 25-28 are rejected as detailed below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5, 8-10, 13, 15, 18, 20, 23, 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,615,212 issued to Dutta, (hereafter Dutta) in view of Pub No US 2003/0231207 issued to Huang (hereafter Huang).

Claims 1, 8-10, 15, 20 and 25:

Dutta discloses:

a plurality of data storage devices for storing data using at least one of a plurality of different operating protocols [Fig 4, 410, 416, 414, 412, 404, 408]

a plurality of mobile wireless communications devices for accessing said data storage devices and each using at least one of the plurality of different operating protocols [Fig 4, 408];

a protocol interface device comprising

a front-end proxy module for communicating with said plurality of mobile wireless communications devices using respective operating protocols [Fig 6, 606]

a protocol engine module communicating with said front-end proxy module using a common interface protocol [Fig 6, 608]

a respective interface connector module for translating communications between said protocol engine module and said plurality of data storage devices for each of the different operating protocols [Fig 6, 610 and Fig 7, 704].

Dutta discloses the elements of the claimed invention as noted above but does not disclose a front-end proxy module based upon a Web-based distributed authoring and versioning (WebDAV) common interface protocol. Huang discloses a front-end proxy module based upon a Web-based distributed authoring and versioning (WebDAV) common interface protocol [paragraph 37]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dutta to include a front-end proxy module based upon a Web-based distributed authoring and versioning (WebDAV) common interface protocol as taught by Huang for the purpose of allowing a plurality of users to access a document in storage and directly edit the document at the storage location [paragraph 37].

Claim 4:

The combination of Dutta and Huang discloses the elements of claim 1 as noted above and furthermore discloses wherein said interface connector modules comprise a Post Office Protocol (POP) connector and an Internet Message Access Protocol (IMAP) connector module (Huang: Fig 2, paragraph 46)

Claims 5, 13, 18, 23 and 28:

The combination of Dutta and Huang discloses the elements of claim 1 as noted above and furthermore discloses wherein said plurality of data storage devices, said plurality of mobile

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wireless communications devices, and said protocol interface device process electronic mail (e-mail) messages [Dutta, col 6, line 60 through col 7, line 13].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 11, 12, 16, 17, 21, 22, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Dutta and Huang as applied to claim 1, 10, 15 above, and further in view of Pub No US 2002/0162026 issued to Neuman et al (hereafter Neuman).

Claims 2, 11, 16, 21 and 26:

The combination of Dutta and Huang discloses the elements of the claimed invention as noted above but does not disclose wherein said protocol engine module comprises a universal proxy servlet module. Neuman discloses wherein said protocol engine module comprises a universal proxy servlet module [paragraph 72]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein said protocol engine module comprises a universal proxy servlet module as taught by Neuman for the purpose of providing a dynamic intelligent network interface that can be changed at any time [paragraph 73].

Claims 3, 12, 17, 22 and 27:

The combination of Dutta and Huang discloses wherein said protocol interface device further comprises a plurality of provider modules coupled between said universal proxy servlet module and said plurality of interface connector modules; and wherein said universal proxy servlet module generates calls for said plurality of interface connector modules based upon respective data access requests from said front-end proxy module, and wherein said plurality of provider modules transfer the calls to respective interface connector modules [Dutta, col 5, lines 5-20, col 6, lines 1-15]

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Dutta and Huang as applied to claim 1 above, and further in view of US Pat No 6,918,041 issued to Chen (hereafter Chen), as best examiner is able to ascertain.

Claim 7:

The combination of Dutta and Huang discloses the elements of the claimed invention as noted above but does not disclose wherein said protocol interface device generates an error responsive to at least one non-supported operating protocol. Chen discloses wherein said protocol interface device generates an error responsive to at least one non-supported operating protocol [col 8, lines 20-35]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein said protocol interface device generates an error responsive to at least one non-supported operating protocol as taught by Chen for the purpose of obtaining an alert on the occurrence of a fault condition.

Response to Arguments

Applicant's arguments filed 3/28/2007 have been carefully considered but are not persuasive for the following reasons.

Applicant States:

Applicant states on page 14:

What Huang does teach in paragraph 0219 and following is the use of WebDav-based communications between the personal email service 104 (see Fig.1) and an external email account provider, namely as Hotmail server 112. Nowhere does this reference teach or fairly suggest that WebDav is used for communication between device and server interface components within the personal email service 104 itself, i.e., between the components that communicate with the portable wireless device 102 (such as the claimed front-end proxy module) and the email service provider 112 (such as the claimed protocol engine module).

Examiner Responds:

Examiner is not persuaded.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., personal email service, external email account provide, Hotmail server) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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Furthermore, the use of "such as" renders the claim language indefinite because it is unclear whether the portable wireless device 102 is the front-end proxy module or whether the front-end proxy module is merely exemplary. Specifically, it is unclear exactly what comprises the claimed "front-end proxy module." Furthermore, the use of "such as" renders the claim language indefinite because it is unclear whether the email service provider 112 is the protocol engine module or whether the protocol engine module is merely exemplary. Specifically, it is unclear exactly what comprises the claimed "protocol engine module."

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday through Friday between 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

4/25/2007



ETIENNE LEROUX
PRIMARY EXAMINER